

THE
 IMPEACHMENT
 OF THE
 Duke and Dutcheſs of Lauderdale,
 With their Brother
 My Lord Hatton.
 PRESENTED TO
 His MAJESTY
 BY THE
 City of Edinburgh.

The Matters of Fact particularly relating to the Town of *Edenburgh*,
 humbly offered for Your Majesties Information.
*Before the Matter of Fact be spoke to, it is necessary that Your Majesty be informed
 of one thing upon which this whole Affair hath moved.*

THe City of *Edenburgh* had at several times given considerable Sums of Money to the Duke of *Lauderdale*, amounting to upward of Twelve Thousand pounds *Sterlin*; and the Lord *Hatton*, Brother to the said Duke, being enraged by that their former practice, and being arrived to great height and influence in the Administration of Your Majesties Affairs in *Scotland*, did thereupon resolve on a Design of getting Money for himself also from them, as will appear to your Majesty by the following Narration; but the Magistrates at that time, and such others as had then the principal Influence in the Administration of Affairs in that Town, being honest Men of good Fortunes, and not to be brought to comply with his Design, he bethought himself of all ways to vex them; and knowing they did much value the Prosperity of the Town, he thought that the first means for promoting that his Design, was to have them threatned with removing Your Majesties *Publique Judicatures* from that City to *Sterlin*, and perswaded his Brother the Duke of *Lauderdale* to move Your Majesty to that purpose; but being disappointed of that project by Your Majesties Royal Wisdom, Your Majesty looking upon it as if it were to declare to the World that You were jealous of so great a Part of that Your Ancient Kingdom, he bethought himself of new ways to accomplish his Design, for which he judged nothing so proper and effectual, as to disturb them in the choice of their Magistrates and Town Counsel; and by all means possible to get some of his own chusing, fit for his own ends, brought into the Administration of the Affairs of that City. In order to which, being impatient of any longer delay, he laid hold of what follows, being the first occasion that offered, though a very frivolous one.

At *Michaelmas* 1674, The said City of *Edenburgh* being to go about the Election of their Magistrates for the ensuing year, there was procured a Letter from Your Majesty to Your Privy Council, commanding them to forbid the Magistrates and Town Council to proceed in their Elections, but to continue the Magistrates that then were, till Your Majesties further pleasure should be known; the reason suggested to Your Majesty for it, was taken from this Circumstance, That the Election ought to be made upon the Tuesday after *Michaelmas*, and (it happening this year that *Michaelmas* fell to be on a Tuesday) they were resolved to proceed to their Elections upon *Michaelmas* day.

Though this was a very small Matter, and upon very good and prudent Considerations, resolved, as will afterward appear, yet was it represented to Your Majesty as a Factious Design, and an Innovation of dangerous Consequence, tending to create and maintain Faction in that City, contrary to Your Majesties Service. Your Majesties foresaid Letter being intimated to the Magistrates and Town-Council, they did immediately give exact obedience to the same.

They did also represent to Your Majesties Privy Council, the Rights that they had for chusing their own Magistrates, which had been granted to them by many of Your Majesties Royal Ancestors, and confirmed by many Parliaments; by virtue of which they humbly conceived they ought to be suffered to proceed in their Elections.

They did also represent to Your Majesties Privy Council, the Reasons which had moved them to resolve of making their Elections on the said Tuesday, being *Michaelmas* day, which in short were, that by their Constitution they were obliged upon the Friday before *Michaelmas* to make the List out of which the Magistrates are to be chosen; after the doing of which there is a Surcease and Vacation of all ordinary Courts of *Judicature* within the Town, and the whole time is spent by the Common People and Tradesmen of the Town, in Rioting and Drinking, until the Elections be finished, which in this case would have been Twelve days; which they did in Prudence think they ought to shorten, not conceiving it contrary in the least to the Established Rules of their Election.

2. On these things they did humbly crave Your Majesties Privy Council would be pleased to represent to Your Majesty, that thereby they might be freed from the suspicion of any Factious Design, with which they were charged by the said Letter.

This being, through the Influence of the Lord *Hatton*, refused by the Privy Council, they dispatched a Gentleman to the Duke of *Lauderdale*, with Letters and Instructions full of Respect and Submission to his Grace.

The Gentleman at his first Arrival found Duke *Lauderdale* very kind, and was made believe he should be quickly dispatched with Answers according to his Desire; but some Delays having fallen in, the Duke of *Lauderdale* fell likewise upon thoughts of getting Money from the Town upon this occasion, and therefore pretending still more and more kindness to the said Gentleman; he did first by some Insinuations let fall to him his Expectation, and at last flatly asked him if he had not brought a heavy Purse with him; which when he understood, he was not to expect, he changed his Method, and grew harsher; and having detained him Five or Six Weeks, he the said Duke entered into Consultation with his old Friend Sir *Andrew Ramsay*, how to order the Affair. By his Advice he did write a Letter and sent Proposals to the said Town, That they should give Bond and Security, That the Townsmen should live regularly as to all matters Ecclesiastical in the largest extent, as the same is determined by the late Acts of Parliament; and to keep the Town free of all sorts of Tumults, either of Man or Woman: judging that this was impossible for them to perform, and unfavourable to attempt, and that therefore it would oblige them to make offers of Money.

This Letter was all the Gentleman could obtain, and having gone back to *Scotland* and delivered it to the Magistrates, they were so far from being carried in the Design, that

that they were glad of that opportunity to witness their Zeal to serve Your Majesty; for they did very heartily comply with what was proposed concerning the Bonds and Securities demanded; and immediately urged that Your Majesties Officers and Lawyers would cause draw such Bonds and Securities as was fit for the purpose; offering good Security for great sums of Money for the performance. But this not being the thing truly intended, their ready Compliance with it, set them yet farther off from their desired Settlement, and served for no other intent then to cause the Lord *Hatton* to double his diligence to find out new means to molest them; to which end it was alledged by him that they had of old forfeited their Priviledges and Liberties by some great misdemeanour, and that therefore they had not right to chuse their own Magistrates, for which he would needs have their Records searched; and accordingly they themselves, with their Books and Records, were in a most unusual manner brought often before him and his Friends, though they had not Authority for it, to the great Disturbance and Annoyance of the Citizens, by being abundantly jealous of their Liberties, were with no small care kept within the due Bounds of Moderation, by the Loyalty and Vigilancy of their Magistrates.

They the said Magistrates, finding how they were used at home by the Lord *Hatton*, did again apply themselves to the Duke of *Lauderdale*, both by private Letters to the Duke of *Lauderdale* and his Dutcheß, from some of the most eminent of them, full of Assurances of particular Respect to their Graces, and by a publick Letter to him from the whole Town Council, offering Bond and Security to him in the terms proposed by his fore-mentioned Letter. But this could not prevail, it being objected to them, from some frivolous things the Lord *Hatton* had scraped together out of their old Records, that they had lost their Liberties, and that the right of chusing their Magistrates did no more belong to them.

Then did they produce their Charters, and did convincingly clear all mistakes, and evidently make appear that the right of chusing their own Magistrates did remain to them undoubtedly and intirely.

All these things being cleared and open, they expected to be restored to the free exercise of their Election in their accustomed manner. They were still kept off with Delays, until the Lord *Hatton*, in pursuance of his Design, fell a practising with some few of themselves, who did undertake with his assistance, to get such Elected as were fit for his ends; whereupon he writes to his Brother the Duke of *Lauderdale* to move Your Majesty for a Letter, and accordingly the Letter was procured from Your Majesty upon the Seventh of *August* 75; wherein Your Majesty, after reciting Your former Orders in that Affair, did declare, that You were well informed of their Obedience to Your Commands, and of their dutiful Carriage in Your Concerns; and therefore ordained them, the next day after the Receipt of the Letter, to convene their whole Council, after their accustomed manner, and out of the Lists already made, to Elect the Lord Provost, Baylies, and other Officers.

According to which Letter, they did the next day proceed to their Elections, but instead of those whom the Lord *Hatton* expected they would have chosen, they did Elect some Men of good Fortunes and Integrity, not at all fit for his purpose (these who had ingaged to him not being Men of that esteem or influence as to be able to carry his Design as they had undertaken.)

The new Magistrates and Council, did immediately after their Election, acquaint Your Majesty with their Procedure, and gave Your Majesty great Acknowledgements and Assurances of their care of the Peace of the Town, and of Your Majesties Service in all Matters, both Ecclesiastical and Civil.

The said Lord *Hatton* being exceedingly enraged at this Act of theirs, did by Advice of Sir *George Mackynge*, now Your Majesties Advocate, send a Letter to the Duke of *Lauderdale*, to which he procured Your Majesties Hand upon the 25th of the same month of *August*, by which Your Majesty ordered Your Privy Council

Council to intimate to the Magistrates and Town Council, that it was Your Royal Pleasure that there should be turned out of the Town Council and declared incapable of any Publique Trust in the said Town, Twelve of the most eminent of the same Men with whom Your Majesty had exprest Your Self so well pleased, and whose Actings Your Majesty had approved, by Your Letter of the Seventh of the said month.

This was accordingly executed by the Privy Council, without ever so much as calling before them the said Persons, though great Crimes were laid to their Charge, as being Factious Persons, and mis-representing Your Majesties Proceedings, without mentioning any particular Fact of theirs which could import any such Crime. And though they be threatened by the said Letter to be pursued for these great Crimes, and that Your Majesties Advocate is commanded in the same to insist against them, yet could they never obtain from Your Majesties Privy Council that they should be Tried for these things, though by a Petition signed by the whole Twelve, they did represent the great Prejudice they sustained both in their Reputation and Trade, by being kept under such Threatnings; and therefore did humbly offer themselves to the strictest and severest Tryal. To which Petition they never received any Answer.

To make appear to Your Majesty that these things were done for private and sinistrous Designs, and not upon account of the ill Effectdness or factious Dispositions of the Men, as was pretended; Your Majesty is humbly prayed to take notice of these particulars following:

First, There are three of the most considerable of these very Persons who had been charged with so great Crimes, admitted since that time, by bribing the Dutcheffs of *Lauderdale*, into a Trust in Your Majesties Affairs in *Scotland*, more eminent and considerable than any Trust the Town of *Edenburgh* can confer (*viz.*) The Paying off Your Majesties Forces, and bringing in Your Majesties Excise.

Secondly, No sooner were these Twelve Men turned out of the Town Council, but after many great and essential Informalities (with the recital of which it is needless to trouble Your Majesty) they Elected for Magistrates Men of no Reputation, either for Parts, Estate, or Honesty: And though these Bonds and Securities, which had been demanded from the others, and consented to by them, was formerly pretended to be of great importance for Your Majesties Service, yet they were not so much as once demanded, either by the Duke of *Lauderdale* or the Lord *Hutton*, from these Men who were now chosen.

Thirdly, These new Magistrates were not long in their Seats, when off comes the Mask, and the true Design of getting Money appears. For by an Act of the Town Council there is about 5000 *l. Sterling* disposed on amongst their nameless Friends, which were the Duke of *Lauderdale*, the Lord *Hutton*, and some other of their Friends. A great sum to be got from that City, considering that the Duke of *Lauderdale* had got before that about 12000 *l. Sterling* from them.

The Dutcheffs of *Lauderdale*, did also since that time endeavour to get more Money from them, and did with great Wrath threaten the Magistrates in plain terms, for not giving her a Present, notwithstanding all the Good she said she had done for them; reckoning the Favours Your Majesty hath at any time been pleased to bestow upon them, as done by her self.

Thus hath that poor Town been abused, and doth now ly, having Magistrates without either Conduet or Courage, in a time when the Disorders of that Nation doth require Persons to be imployed there of eminent Fidelity and Capacity to serve Your Majesty.

F I N I S.